REMARKS/ARGUMENTS

The above identified patent application has been amended and reconsideration and reexamination are hereby requested.

Claims 1-20 are now in the application. Claims 1-18 have been amended. Claims 19 and 20 have been added. Claims 6 and 9-18 have been allowed, but have been amended for antecedent basis and to remove redundant wording only, and not for patentability.

The Examiner has rejected claims 1-5, 7 and 8 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner notes that "[t]he applicant's written description, as originally filed, does not provide adequate disclosure on how to teach on [sic] of ordinary skill in the art how to select the dimensions, the force, and the speed in order develop [sic] the claimed critical film thickness."

The critical film thickness is calculated in accordance with the equation given on page 7 of the present application. The equation is known and appears, for example, in "Construction & Building Materials" (volume 2, no 3, September 1988) in the article "The Measurement of the Slip Resistance of Floor Surfaces." Additionally, the full theory is set forth in "Theory and practice of lubrication engineers," Fuller, D. D. (1956), cited as reference 9 in the above-mentioned article, which also tabulates the various values for factors K_ε and K_p. Further, values of constant K_ε for various b/l ratios are provided on page 165 of the article.

Given the equation for critical film thickness on page 7, one of ordinary skill in the art may simply select a convenient mass of the trolley, for example, 3 kg, a suitable length of ramp, for example, 1 meter, and an angle of inclination for the ramp that permits the trolley to make a relatively smooth transition from the ramp to the surface to be tested, for example, 25 degrees. From these values and from the fundamental equations of physics, one of ordinary skill in the art can calculate the potential energy of the trolley at the top of the ramp which will translate to kinetic energy, and from this the average velocity of the trolley during the test run can be determined. Knowing the average relative velocity of the two surfaces (u) can then be used to obtain a given critical film thickness, for example, $2x10^{-6}$, and appropriate values of a length (l)

and breadth (b) of the area in contact with the film may be selected. Additionally, it is noted that a worked example wherein specific values are given to provide a critical film thickness of $2x10^{-6}$ meters is provided on page 11 of the present specification.

Accordingly, the originally filed does provide adequate disclosure to one of ordinary skill in the art for selecting the dimensions, the force, and the speed in order to develop the claimed critical film thickness.

The Examiner has rejected claim 1 under 35 U.S.C. §102(b) as being anticipated by "Evaluation of the Kirchberg Rolling Slider and SlipAlert Slip Resistance Meters" to Hallas ("Hallas").

The Applicant's amended claim 1 and new claim 19 call for, in part: "the apparatus comprising a body having wheels for contacting the test surface throughout the test run."

With reference to FIG. 2.3, Hallas describes "The Kirchberg Rolling Slider" as noted in "In situ measurement of slinding friction of floors: study for the optimization of check parameters" to Kirchberg et al. (1997) ("Kirchberg"). As shown in FIG. 2.3 of Hallas and in Annex B of Kirchberg (p. 37), the Kirchberg Rolling Slider includes a device having wheels that allow the device to roll down a ramp and an underside having a sliding surface. As can be seen in the figures on pages 37 and 38 of Kirchberg and in FIG. 2.3[b] showing the underside of the slider, the wheels do not touch the test surface when the slider slides along the test surface. Rather, only the sliding surface of the slider touches the test surface, while the wheels are spaced from the test surface. As such, neither Hallas nor Kirchberg teach a body having wheels for contacting the test surface throughout the test run.

Accordingly, the Applicant submits that claims 1 and 19 are not anticipated by Hallas under 35 U.S.C. §102(b).

Claims 2-5, 8 and 20 are dependent on claim 1. As such, these claims are believed allowable based on claim 1 for at least the reasons above and for the additional limitations they contain.

In view of the above amendment and remarks, Applicant submits that the claims are patentably distinct over the prior art and that all the rejections to the claims have been overcome. As such, allowance of the above Application is requested.

Respectfully submitted,

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